

1 PHILLIP A. TALBERT
United States Attorney
2 ADRIAN T. KINSELLA
CHRISTINA McCALL
3 Assistant United States Attorneys
501 I Street, Suite 10-100
4 Sacramento, CA 95814
Telephone: (916) 554-2700
5 Facsimile: (916) 554-2900

6 Attorneys for Plaintiff
United States of America
7
8

9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 CEDAR SKY MONTGOMERY,
15 Defendant.
16

CASE NO. 2:24-CR-00041 DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: June 11, 2024
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on June 11, 2024. ECF No. 14.
- 21 2. By this stipulation, defendant now moves to continue the status conference until July 30,
22 2024, and to exclude time between June 11, 2024, and July 30, 2024, under Local Code T4.
- 23 3. The parties agree and stipulate, and request that the Court find the following:
 - 24 a) The government has represented that the discovery associated with this case
25 includes over 15 gigabytes of evidence in electronic form, including criminal history records, a
26 recording of the defendant's post-arrest statement, investigative reports and related documents,
27 as well numerous voicemails and text messages. All of this discovery has been either produced
28 directly to counsel and/or made available for inspection and copying. Much of this discovery is

1 subject to a protective order. ECF No. 16. Additionally, the government recently produced
2 forensic extractions of the defendant's cellular phone to the defense.

3 b) Counsel for defendant desires additional time to consult with her client, to review
4 existing and forthcoming discovery, to conduct investigation and research related to the charges,
5 to discuss potential resolutions with her client, to consult with an expert, and to otherwise
6 prepare for trial.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny her the reasonable time necessary for effective preparation, taking into
9 account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of June 11, 2024 to July 30, 2024,
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
17 because it results from a continuance granted by the Court at defendant's request on the basis of
18 the Court's finding that the ends of justice served by taking such action outweigh the best interest
19 of the public and the defendant in a speedy trial.

20 //

21
22 //

23
24 //

25
26 //

27
28 //

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: June 5, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Adrian T. Kinsella
ADRIAN T. KINSELLA
CHRISTINA McCALL
Assistant United States
Attorneys

Dated: June 5, 2024

/s/ Christina Sinha
Christina Sinha
Counsel for Defendant
CEDAR SKY MONTGOMERY

ORDER

Pursuant to the stipulation of the parties and good cause appearing, the status conference previously scheduled for June 11, 2024 is continued to July 30, 2024, at 9:30 a.m. and time is excluded between June 11, 2024, and July 30, 2024, under Local Code T4.

IT IS SO ORDERED.

Dated: June 5, 2024

Dale A. Drozd
DALE A. DROZD
UNITED STATES DISTRICT JUDGE